

Service Date: October 17, 2003

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * * *
* * * * *

Development of State Implementation)	UTILITY DIVISION
Of the Federal Communications)	
Commission's Triennial Review)	DOCKET NO. D2003.5.62
)	Order No. 6516

PROCEDURAL ORDER

1. In this order the Montana Public Service Commission (Commission or PSC) establishes a procedural schedule for Docket No. D2003.5.62, the 9-month proceeding implementing the FCC's Triennial Review Order.¹ Procedural requirements will be described in a subsequent order.

Schedule

2. The following schedule applies in this docket:

<u>Action</u>	<u>Deadline*</u>
Initial filing of Qwest framing the scope of docket ²	October 22, 2003
Comments of parties on Qwest's October 22 filing	October 27, 2003
Simultaneous filing written discovery	November 5, 2003
Responses to written discovery	November 19, 2003

1 In the Matter of the Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket Nos. 01-338, 96-98 and 98-47. Report And Order And Order On Remand And Further Notice Of Proposed Rulemaking.

2 The draft procedural schedule of October 6, 2003 stated: "By framing the scope of the docket Qwest must identify the findings of impairment in the TRO that it intends to challenge, when and how it will raise any such challenge, and how it plans to implement other aspects of the TRO, including but not limited to the batch-cut process, SGAT revisions and, or, interconnection agreement amendments." On October 15, 2003 Qwest filed electronically its Statement of Scope. Qwest is asked to re-submit its Statement of Scope to add identifications of where in Montana Qwest challenges the national findings of impairment by contending the triggers are satisfied or that no impairment exists, including, if known, the competitive local exchange carrier switches that form the basis for its case for no impairment.

Simultaneous filing testimony ³	December 5, 2003
Discovery on testimony	December 17, 2003
Response to discovery on testimony	January 7, 2004
Simultaneous filing of rebuttal testimony	January 21, 2004
Discovery on rebuttal testimony	February 4, 2004
Response to discovery on rebuttal testimony	February 18, 2004
Pre-hearing memo	February 27, 2004
Hearing	March 15 to 26, 2004

*Receipt dates.

Done and dated this 17th day of October, 2003 by delegation to PSC staff as an Order of the PSC.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman
 THOMAS J. SCHNEIDER, Vice Chairman
 MATT BRAINARD, Commissioner
 GREG JERGESON, Commissioner
 JAY STOVALL, Commissioner

NOTE: Normal reconsideration of this order is not permitted, and the Commission rules on reconsideration do not apply. However, requests to modify this order may be made by motion at any time.

³ The draft procedural schedule of October 6, 2003 is revised. The subject matter of this testimony is to define market areas and to establish whether or not the triggers have been met in each such market area (§§ 498-505 but also see 506 through 520), the appropriate “cut-off” (“cross over point”) for multi-line DSO customers (§ 497), and ability to provide line splitting in volumes sufficient to accommodate customer needs. The testimony must also examine whether efforts by requesting carriers to enter the mass markets are impaired due to operational and economic factors (§§ 503 to 520). Other purposes include to examine: rolling access (§§ 521 to 524), the structure for an ongoing state review (§ 526), and implementation of a transition plan (§§ 526-532). All matters regarding the batch cut process will be addressed in testimony including, but not limited to, costing and the appropriate volumes by market area.